

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on December 6, 2005 at 7:00 p.m.

Mayor White presiding.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Terry Cook, YEA Commissioner Randy Ervin, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Richard Underkofler, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Community Coordinator Kyle Gill, Deputy Police Chief David Griffith, Public Works Assistant Director Chris Hartbank, Deputy Fire Chief Tim Bragg, and City Clerk Susan O'Brien.

## CONSENT AGENDA

*(Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.)*

Mayor White seconded by Commissioner Cook moved to approve the consent agenda consisting of minutes of the regular meeting November 15, special meeting November 22, special meeting November 29, 2005; Police Department report for the month of October; payroll and bills for the last half of November; Resolution 2005-2618, authorizing a \$6,000 agreement with the Coles County Regional Planning & Development Commission for Technical Assistance for services to be rendered from December 1, 2005 to November 30, 2006 on a time and expense basis; Resolution 2005-2619, authorizing a \$2,100 agreement with the Coles County Regional Planning & Development Commission for administration of the Mattoon Revolving Loan Fund for services to be rendered from December 1, 2005 to November 30, 2006 on a time and expense basis; Council Decision Request 2005-540, releasing the interest of the City of Mattoon in a lease of a 25 foot strip of land on the south side of Lot 4, Block 181 of Noyes' Addition at the north entrance to Kinzel Field; Council Decision Request 2005-541, authorizing a \$2,093.88 adjustment in the water utility bill of the Village of Humboldt, Illinois; Council Decision Request 2005-542, authorizing a home occupation permit for a one-chair beauty salon to be operated by Heather Prah at 2416 Western Avenue; Council Decision Request 2005-543, declaring four used police patrol vehicles surplus property to be offered for sale to the highest bidder via sealed proposal.

### **Bills and payroll for the last half of November**

#### **General Fund**

Payroll	\$	255,573.90
Bills	\$	767,666.00
Total	\$	1,023,239.90

#### **Hotel Tax Fund**

Payroll	\$	1,392.33
Bills	\$	494.33
Total	\$	1,886.66

#### **Festival Management**

Bills	\$	2,522.70
Total	\$	2,522.70

#### **Insurance & Tort Judgment**

Bills	\$	840,513.69
Total	\$	840,513.69

#### **Capital Project Fund**

Bills		\$	45,629.52
	Total	\$	145,629.52
<b><u>Water Fund</u></b>			
Payroll		\$	30,698.58
Bills		\$	557,270.18
	Total	\$	587,968.76
<b><u>Sewer Fund</u></b>			
Payroll		\$	29,276.67
Bills		\$	102,810.03
	Total	\$	132,086.70
<b><u>Cemetery Fund</u></b>			
Payroll		\$	3,443.54
Bills		\$	741.79
	Total	\$	4,185.33
<b><u>Revolving Loan Fund</u></b>			
Bills		\$	22.24
	Total	\$	22.24
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	17,716.15
	Total	\$	17,716.15
<b><u>Health Insurance</u></b>			
Bills		\$	78,768.11
	Total	\$	78,768.11

**CITY OF MATTOON  
RESOLUTION NO. 2005-2618**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR  
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY REGIONAL  
PLANNING AND DEVELOPMENT COMMISSION**

WHEREAS, the **City of Mattoon** has selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the **City**; and

WHEREAS, the **City Council** has examined the proposed contract agreement a copy of which is attached hereto and incorporated by reference and entitled “Technical Assistance Agreement” between the **City of Mattoon** and the Coles County Regional Planning and Development Commission,” and finds said contract agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the **City Council** of the **City of Mattoon**, Illinois, that the **City** enter into and execute said Contract Agreement with the Coles County regional Planning and Development Commission. The **Mayor** is authorized to execute said Agreement.

Presented, Passed and Adopted at a regular meeting of the **Mattoon City Council** this 6<sup>th</sup> day of December, 2005, by consent agenda.

AYE

NAY

ABSENT

Mayor:  
Charles White

X

City Council	
Commission Cline	X
Commissioner Cook	X
Commissioner Ervin	X
Commissioner Schilling	X

ATTEST:	APPROVED:
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<u>/s/ Susan J. O'Brien</u> City Clerk	<u>/s/ Charles E. White</u> Mayor
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(SEAL)

**CITY OF MATTOON  
RESOLUTION NO. 2005-2619**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT  
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION  
SERVICES WITH THE COLES COUNTY REGIONAL PLANNING &  
DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon operates a State of Illinois capitalized Revolving Loan Fund, and;

WHEREAS, the Coles County Regional Planning and Development Commission has been deemed by the City Council as qualified to administer said Revolving Loan Fund, said Commission furnishing a proposed contract agreement for Revolving Loan Fund administration services to the City, and

WHEREAS, the City Council has examined the proposed contract agreement, entitled “Contract Agreement for Administration and Coordination Services for State Capitalized Revolving Loan Fund,” and finds the agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois that the City enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said AGREEMENT.

Presented, Passed and Adopted at a regular meeting of the City Council of the City of Mattoon, Illinois, this 6<sup>th</sup> day of December, 2005 by consent agenda.

AYE	NAY	ABSENT
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Mayor:	
Charles E. White	X

City Council	
Commissioner Cline	X
Commissioner Cook	X
Commissioner Ervin	X
Commissioner Schilling	X

APPROVED:

ATTEST:

/s/ Charles E. White  
Mayor

/s/ Susan J. O'Brien  
City Clerk

(SEAL)

Mayor White opened the floor for discussion. No discussion.

Mayor White seconded by Commissioner Cook declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

### **PUBLIC PRESENTATION, PETITIONS AND COMMUNICATIONS**

*This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.*

Commissioner Ervin gave a status report on work in progress on the YMCA rehabilitation and expansion project, including discussions of renovations/expansion, City's involvement, land acquisitions, collaborations with the Youth Basketball League, proposed committee to review schematics and cost estimates, capital fundraising campaign, and encouragement of other youth organizations to collaborate. Attorney/Treasurer Owen discussed land acquisition possibilities. Mr. Dennis Hostetter of Upchurch and Associates presented a topographical survey of the site, discussed the environmental site assessment, proposed drainage plans for expansion, and reviewed the Planters Street vacation along with the location of water and electrical lines in the south parking lot.

### **UNFINISHED BUSINESS**

Mayor White seconded by Commissioner Schilling moved to adopt Resolution 2005-2620, authorizing a \$500,000 Agreement with Agracel, Inc. for construction of roadway, sanitary sewer collection system, water distribution system extensions, a municipal parking lot and truck entrance and conveyance of land, right-of-way and easements incidental to these improvements to facilitate the construction of a 75,000 square foot manufacturing warehouse to be leased to Justrite Manufacturing Company LLC.

### **CITY OF MATTOON, ILLINOIS**

#### ***RESOLUTION NO. 2005-2620***

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH AGRACEL, INC. FOR CONSTRUCTION OF ROADWAY, SANITARY SEWER COLLECTION SYSTEM, WATER DISTRIBUTION SYSTEM EXTENSIONS, A MUNICIPAL PARKING LOT AND TRUCK ENTRANCE AND COVEYANCE OF LAND, RIGHT-OF-WAY AND EASEMENTS INCIDENTAL TO THESE IMPROVEMENTS TO FACILITATE THE CONSTRUCTION OF A 75,000 SQUARE FOOT MANUFACTURING WAREHOUSE TO BE LEASED TO JUSTRITE MANUFACTURING COMPANY, LLC**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** that the Mayor is authorized to sign an agreement with Agracel, Inc., a copy of which is attached and incorporated herein by reference.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 6th day of December, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Cook,  
Commissioner Ervin, Commissioner Schilling  
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of December, 2005.

/s/ Charles E. White  
Charles E. White, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

**Recorded in the Municipality's Records on December 7, 2005.**

Mayor White opened the floor for discussion. Mr. Herb Meeker of the Mattoon Journal Gazette inquired as to the funding of the project. Administrator Underkofler responded by stating the project was funded through a grant with Agracel providing the remaining funds.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cook moved to adopt Resolution 2005-2621 Substitute: accepting a dedication and future maintenance of roadway improvements constructed by Agracel, Inc. for an easterly extension of Progress Drive and a new road called Justrite Drive from Progress Drive to County Highway 18.

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**CITY OF MATTOON, ILLINOIS**  
***RESOLUTION NO. 2005-2621 SUBSTITUTE***

**A RESOLUTION ACCEPTING A DEDICATION AND FUTURE MAINTENANCE OF ROADWAY  
IMPROVEMENTS CONSTRUCTED BY AGRACEL, INC. FOR AN EASTERLY EXTENSION OF PROGRESS  
DRIVE AND A NEW ROAD CALLED JUSTRITE DRIVE FROM PROGRESS DRIVE TO COUNTY HIGHWAY 18  
IN MATTOON ENTERPRISE PARK SUBDIVISION**

**WHEREAS**, by Resolution 2005-2611 the Mattoon City Council authorized an agreement with Coles County and Agracel, Inc. for the sharing of costs for the extension of roads in the Mattoon Enterprise Park Subdivision; and

**WHEREAS**, by Resolution 2005-2620 the Council authorized a subsequent agreement with Agracel, Inc. in which increased costs of the roadway improvements are to be shared equally between the municipality and Agracel, Inc.; and

**WHEREAS**, the roadway design and construction contemplated by these resolutions has been completed; and

**WHEREAS,** Milano & Grunloh Engineers, LLC, engineer of record for the project, has provided certification that the roadway construction has been performed consistent with the intent of the design specifications; and

**WHEREAS,** David Wortman, P.E., Public Works Director of the municipality, recommends accepting the roadway improvements and a deed of conveyance for a 6.5 acre tract to be dedicated for the right-of-way.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** as follows:

**Section 1.** The City of Mattoon hereby accepts a right-of-way dedicated for public road and utility uses described at Exhibit A to this resolution, attached and incorporated herein by reference. The municipality shall assume responsibility for the future maintenance of roads constructed within said right-of-way.

**Section 2.** The City Treasurer is authorized to compensate Agracel, Inc. \$101,792.50 for the City's share of the cost of these roadway improvements as provided in the agreement authorized by Resolution 2005-2620.

**Section 3.** The City Clerk is authorized and directed to send a copy of this resolution to the Coles County Highway Department c/o Frederick Sherer, Coles County Engineer, to certify acceptance of these roadway improvements by the City of Mattoon.

**Section 4.** The City Clerk is authorized and directed to send a copy of this resolution to the Coles County Recorder to document this dedication of right-of-way in Mattoon Enterprise Subdivision.

Upon motion by Mayor White, seconded by Commissioner Cook, adopted this 6th day of December, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Cook,  
Commissioner Ervin, Commissioner Schilling  
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of December, 2005.

/s/ Charles E. White

Charles E. White, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Mayor White opened the floor for discussion. Administrator Underkofler noted there was a sharing of the costs between the City, County, and Agracel. The Right-of-Way was donated to the City.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Resolution 2005-2622, authorizing a \$10,000 Agreement with the Coles County Regional Planning & Development Commission for administration of a \$510,000 grant to be received from the Illinois Department of Commerce and Economic Opportunity to assist with the cost of infrastructure for a new warehouse in the Mattoon Enterprise Park to serve Justrite Manufacturing Company. The grant proceeds will underwrite all of the grant administration expense.

**CITY OF MATTOON  
RESOLUTION 2005-2622**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT  
FOR DESIGN ENGINEERING PROGRAM GRANT  
ADMINISTRATION AND COORDINATION SERVICES WITH THE  
COLES-COUNTY REGIONAL PLANNING & DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon was awarded a State of Il Public Improvement in Support of Economic Development Community Development Assistance Program (CDAP) Grant to be used for a Construction of Public Improvements in Support of Economic Development in the Mattoon, IL Enterprise Park, and,

WHEREAS, the Coles County Regional Planning and Development Commission prepared and submit4ed an IL Community Development Assistance Program (CDAP) grant application on behalf of the City with the understanding that the Coles County Regional Planning and Development Commission will be retained for administrative services if the application were successful: and

WHEREAS, the City council has examined and proposed contract agreement, entitled "CONTACT AGREEMENT FOR ADMINISTRATION AND COORDINATION SERVICES FOR COMMUNITY DEVELOPMENT ASSISTANCE PROGRAM (CDAP) GRANT" and finds the agreement to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois, that the City enter into and execute this Contract Agreement for Administration and Coordination Services with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said Agreement.

Presented, Passed and Adopted at a regular meeting of the City Council of the City of Mattoon, Illinois this 6<sup>th</sup> day of December, 2005.

(SEAL)

Approved:

Attest:

/s/ Charles E. White  
Mayor

/s/ Susan J. O'Brien  
City Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cook seconded by Commissioner Cline moved to adopt Resolution 2005-2623, authorizing the Mayor to sign an Intergovernmental Agreement with the City of Charleston for interconnection of water distribution systems.

**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2005-2623**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL  
AGREEMENT WITH THE CITY OF CHARLESTON FOR THE INTERCONNECTION OF  
WATER DISTRIBUTION SYSTEMS**

WHEREAS, the cities of Charleston and Mattoon both own and operate municipal water utilities for the purpose of supplying potable water to customers for their residential, commercial and industrial use; and

WHEREAS, the water distribution systems of Charleston and Mattoon are in such close proximity to each other that it would be in the best interest of both utilities to interconnect their water supply systems to enable the distribution of water during emergency conditions and on a back-up basis.

NOW, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS that the Mayor is authorized to sign an intergovernmental agreement for the interconnection of Charleston and Mattoon water distribution systems, a copy of which is attached and incorporated herein by reference.

Upon motion by Commissioner Cook, seconded by Commissioner Cline, adopted this 6<sup>th</sup> day of December, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Cook  
Commissioner Ervin, Commissioner Schilling,  
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 6<sup>th</sup> day of December, 2005.

/s/ Charles E. White, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen, City Attorney

Recorded in the Municipality Records on December 7, 2005.

Mayor White opened the floor for discussion. Mr. Meeker inquired as to the interconnection. Mayor White stated the water distribution between cities would only be for emergency or catastrophic incidents.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.



## **NEW BUSINESS**

Commissioner Cook seconded by Commissioner Ervin moved to approve Council Decision Request 2005-544, approving recommended street improvement projects for the 2006 and 2007 construction seasons.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cook moved to adjourn to closed session at 7:31 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)); or litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)): review Performance Appraisals of Management Employee Kyle Gill, Community Development Coordinator.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

Council recessed to a closed session to be reconvened December 7, 2005 at 5:30 p.m. to meet with a citizen advisory committee to review applications received and discuss selection of a successor city administrator.

Council reconvened from closed session on December 7, 2005 at 7:27 p.m.

Commissioner Schilling seconded by Commissioner Cline moved to adjourn at 7:28 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Cook, YEA Commissioner Ervin, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien  
City Clerk